

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Peggy Lenoir,

Plaintiff(s),

vs.

Albertsons, LLC,

Defendant(s).

2:23-cv-01066-RFB-MDC

Order

Pending before the Court is a *Motion To Withdraw As Counsel* (ECF No. 19). Attorneys Scott L. Poisson and Amber N. King, counsel for plaintiff, request to withdraw as counsel of record and a ninety (90) day extension of all deadlines. The Court grants the Motion and extends the remaining discovery deadlines.

DISCUSSION

Pursuant to Local Rule (“LR”) IA 11-6, an attorney who seeks to withdraw must “file a motion or stipulation and serve it on the affected client and opposing counsel.” LR IA-11-6(b). Amber N. King, *Esq.*, indicates in her declaration that plaintiff “gave notice to counsel on June 3, 2024, to terminate their services” and “[p]laintiff and [c]ounsel have irreconcilable differences as to the litigation.” ECF No. 19 at 4, ¶¶6-7. The requirements of LR IA 11-6(b) have been met.

Along with the request to withdraw, plaintiff’s counsel also included a request to extend deadlines for 90 days to give plaintiff time to obtain new counsel. While defendant does not oppose the withdrawal, they do oppose the request for extension. Local Rule IA 11-6(d) states, “discharge, withdrawal, or substitution of any attorney will not alone be reason for delay of pretrial proceedings, discovery, the trial or any hearing in the case.” However, good cause exists to grant the extension. Without extending the deadlines, “discovery would proceed which Plaintiff may be ill-equipped to handle and which may increase the workload and raise the costs of Plaintiff’s new counsel if and when she retains them.” *Armstrong v. Boulder City Hosp., Inc.*, 2021 U.S. Dist. LEXIS 118829, at *3 (D. Nev.

June 25, 2021) (granting a stay in discovery after withdrawal of counsel because staying discovery would accomplish the goals of Rule 1).

ACCORDINGLY,

IT IS ORDERED that:

1. The *Motion To Withdraw* (ECF No. 19) is GRANTED.
2. A 90 day extension on the remaining discovery deadlines is granted, and the new deadlines will be:
 - a. Initial expert disclosures: October 7, 2024
 - b. Rebuttal expert disclosures: November 6, 2024
 - c. Close of Discovery: December 9, 2024
3. Plaintiff Peggy Lenoir must file a notice of new counsel or intent to proceed *pro se* by **August 1, 2024**. Failure to comply with the Court's order may result in a recommendation of sanctions, including that this case be dismissed.

DATED this 21st day of June 2024.

IT IS SO ORDERED.



Hon. Maximiliano D. Couvillier III
United States Magistrate Judge